

 सत्यमेव जयते	राजस्थान राज-पत्र विशेषांक साधिकार प्रकाशित	RAJASTHAN GAZETTE Extraordinary <i>Published by Authority</i>
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भाग 4 (ग)

उप- खण्ड (I)

राज्य सरकार तथा अन्य राज्य प्राधिकारियों द्वारा जारी किये गये (सामान्य आदेशों, उप- विधियों आदि को सम्मिलित करते हुए) सामान्य कानूनी नियम।

Industries (GR-I) Department

NOTIFICATION

Jaipur, May 24, 2019

G.S.R.3 .-In exercise of the powers conferred by section 12 of the Rajasthan Micro, Small and Medium Enterprises (Facilitation of Establishment and Operation) Ordinance, 2019 (Ordinance No. 01 of 2019), the State Government hereby makes the following rules, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan

Micro, Small and Medium Enterprises (Facilitation of Establishment and Operation) Rules, 2019.

(2) They shall come into force on and from the date of their publication in the Official Gazette.

2. Definitions.- (1) In these rules, unless the context otherwise requires,-

(a) “Acknowledgment Certificate” means the Acknowledgment Certificate issued under section 5 of the Ordinance;

(b) “Authorized Officer” means person authorized by State Level Nodal Agency for carrying out the functions assigned in these rules;

(c) “Commencement of Commercial Operation” means the date on which the enterprise issues the first bill of supply/ invoice/tax invoice, of the goods manufactured or services rendered relating to Declaration of Intent furnished under these rules;

(d) “Declaration of Intent” means Form, either in physical or electronic format, for furnishing the information by the enterprise under section 5 of the Ordinance;

(e) “Enterprise” means micro, small or medium enterprise;

(f) “Form” means the form appended to these rules;

(g) “Micro, small or medium enterprise” means a micro, small or medium enterprise, as defined in the Micro, Small and Medium Enterprises Development Act, 2006 (Central Act No. 27 of 2006), as amended from time to time;

(h) “New enterprise” means a new micro, small or medium enterprise whose date of commencement of commercial operation is on or after the date of promulgation of the Ordinance i.e. March 04, 2019 and includes an enterprise set up or proposed to be set up by an existing enterprise for manufacturing products or providing services at a location which is separately identifiable and different from location of the existing enterprise;

(i) “Ordinance” means the Rajasthan Micro, Small and Medium Enterprises (Facilitation of Establishment and Operation) Ordinance, 2019;

- (j) "Section" means a section of the Ordinance; and
 - (k) "State Empowered Committee (SEC)" means the State Empowered Committee constituted under section 3 of the Rajasthan Enterprises Single Window Enabling and Clearance Act, 2011(Act No. 7 of 2011).
- (2) Word or expression used but not defined in these rules, shall have the same meaning as assigned to them in the Ordinance.

3. Procedure for Grant of Acknowledgment Certificate.- (1) Every new enterprise seeking Acknowledgment Certificate under the Ordinance shall furnish a duly filled Declaration of Intent to the State Level Nodal Agency in Form-I, electronically on the portal. However, in case of special circumstances or failure of electronic system due to unforeseen circumstances, the enterprise may submit Declaration of Intent, in physical format to the State Level Nodal Agency.

(2) On the receipt of Declaration of Intent, the Acknowledgment Certificate shall be granted in electronic format by the State Level Nodal Agency in Form-II, stating the date of receipt of Declaration of Intent and the period of validity of Acknowledgment Certificate.

(3) In case the Declaration of Intent is submitted to State Level Nodal Agency in physical format as specified in sub-rule (1), the State Level Nodal Agency shall issue the Acknowledgment Certificate in Form-II in physical format.

(4) The Declaration of Intent shall be submitted by,-

- (a) the managing partner, in case of proprietary enterprise;
- (b) the authorized partner in case of partnership enterprise; and
- (c) the authorized person in case of other forms of enterprises.

(5) In case the enterprise is having commercial operations on more than one set of premises, a separate Declaration of Intent shall be submitted for each such set of premises.

- 4. Functions of The State Level Nodal Agency.-** (1) The State Level Nodal Agency shall act as the coordinating and implementing agency for carrying out the purposes of the Ordinance.
- (2) The State Level Nodal Agency shall appoint one or more Authorized Officer in the Bureau of Investment Promotion for the purpose of issuance of Acknowledgment Certificate under the Ordinance.
- (3) The State Level Nodal Agency shall receive and address the grievances and queries of enterprise related to the Ordinance and these rules.
- (4) The State Level Nodal Agency shall maintain the electronic portal for carrying out the purposes of the Ordinance and keep record of Declaration of Intent and the Acknowledgment Certificate.

(5) State Level Nodal Agency shall, on issuance of Acknowledgment Certificate, forward the Declaration of Intent and the Acknowledgment Certificate of enterprise to all Competent Authorities.

(6) State Level Nodal Agency shall be responsible for coordination between the Competent Authority and enterprise. In case of dispute between enterprise and Competent Authority, State Level Nodal Agency shall resolve the dispute and may seek directions from the State Empowered Committee, as and when required.

5. Removal of doubts.- If any difficulty arises in the application or interpretation of the Ordinance and these rules, the matter shall be referred by the State Level Nodal Agency to the State Empowered Committee whose decision thereon shall be final, in such matters.

FORM-I
(See rule 3 (1))
Declaration of Intent

{Under the Rajasthan Micro, Small and Medium Enterprises (Facilitation of Establishment and Operation) Ordinance, 2019 }

Details of Applicant	
Name of Applicant	
Aadhaar Number of applicant	
Gender Male/Female/Others	
Social Category General/SC/ST/OBC/ Others	
Correspondence address & contact details of Enterprise	
Address	
Plot No /Khasra no/House No.	
Name of premise/building	
Road/Street/Lane	
Landmark	
Area/ Locality	
State	
District	
Classification of Geographical Area (Rural/ Urban)	
Tehsil	
Village/Town/City	
PIN Code	
Contact Details	
Mobile Number	

Alternate Mobile Number	
Telephone	
Email Id	
Enterprise Information	
Name of the Undertaking/Enterprise	
PAN Number	
Major Activity of Enterprise (Manufacturing/Service)	
Products to be Manufactured/Services to be provided	
Category of Enterprise (Micro/ Small/ Medium)	
Type of Organization (Proprietary/Hindu Undivided Family (HUF)/Partnership/Co-operative/ Private Limited/Public Limited/ LLP/Self-help group/Others)	
Location of Manufacturing/Service Activity of Enterprise	
Plot No /Khasra no/House No.	
Name of premise/building	
Road/Street/Lane	
Landmark	
Area/ Locality	
Classification of Geographical Area (Rural/Urban)	

District	
Tehsil	
Village/Town/City	
PIN Code	

Declaration

I.....residing at
state that I am authorized signatory for M/s, and hereby give the following declaration and undertake that :-

- i. I/We certify that the information furnished in Declaration of Intent under the Rajasthan Micro, Small and Medium Enterprise (Facilitation of Establishment and Operation) Ordinance 2019 and the rules made there under is true, correct and complete to the best of my/our knowledge & belief and no material information has been concealed.
- ii. I/We have read the Rajasthan Micro, Small and Medium Enterprise (Facilitation of Establishment and Operation) Ordinance, 2019 and the rules made there under and undertake to abide by them. In case of changes in above details, the same will be intimated to the Nodal agency at the earliest.
- iii. I/We are furnishing the Declaration of Intent for the enterprise which is a new enterprise as per definition provided the Rajasthan Micro, Small and Medium Enterprise (Facilitation of Establishment and Operation) Rules, 2019.
- iv. I/We have not previously availed the Acknowledgement certificate for the land or building or premises as mentioned in 'Location of Manufacturing/Service Activity of Enterprise' in Declaration of Intent.
- v. I/We will maintain the safety standards in operation of the enterprise to ensure safety and health of the workers or employees.
- vi. I/We will not engage in any manufacturing or service activity which is prohibited under any law or which may pose serious threat to public health or law and order.

Date
Place
Name
Designation

FORM-II
(See rule 3(2) and 3(2))

Acknowledgment Certificate

M/S has filed a Declaration of Intent under the Rajasthan Micro, Small and Medium Enterprises (Facilitation of Establishment and Operation) Ordinance, 2019 to set up a (Manufacturing/Service) enterprise. The receipt of the Declaration of Intent for the enterprise is hereby acknowledged with following details

Acknowledgment Details	
Acknowledgment Number	
Date of Acknowledgment	
Validity of Acknowledgment	
Name of the Enterprise	
Type of Organization	
Official Address of Enterprise	
Location of Manufacturing/Service Activity of Enterprise	
Category of Enterprise	
Major Activity of Enterprise	
Product(s) to be Manufactured/Service(s) to be provided	

1. The Acknowledgement Certificate is issued under the provisions of section 5 of the said Ordinance.
2. Subject to provisions of the said Ordinance and the rules made there under, it entitles the enterprise:
 - a. Exemption from approval under any Rajasthan Law.
 - b. Exemption from inspection for the purpose of, or in connection with, any approval under any Rajasthan Law.
 - c. Exemption from approval and inspection, in case of exemption granted under section 7 of the Ordinance is applicable.

- d. It can be presented to any Competent Authority or Bank or Financial Institution as and when required who shall treat it as valid approval as defined in clause (b) of section 2 of the Ordinance for all the purposes.
3. This Acknowledgement Certificate is issued, subject to following conditions:
- i. The provisions of the Rajasthan Micro, Small, and Medium Enterprises (Facilitation of Establishment and Operation) Ordinance, 2019 and its applicability shall be limited to land or building or premises and the activities mentioned in the Acknowledgement Certificate.
 - ii. After the expiry of Acknowledgment Certificate, the enterprise shall have to obtain required approvals, for which no further intimation shall be provided.
 - iii. In case of willful submission of wrong information in Declaration of Intent or breach or contravention of any of the provisions mentioned anywhere in the Ordinance & the rules made there under, the Acknowledgement Certificate will be revoked as per provisions of the Ordinance and rules made there under.
 - iv. The Acknowledgment Certificate will become void for the enterprise if it ceases to exist due to merger or split or demerger or acquisition or amalgamation of the enterprises or if it ceases to be a Micro, small or medium enterprise.

Nodal Agency: Bureau of Investment
Promotion
Address: Bureau of Investment
Promotion,
Udhyog Bhawan, Tilak Marg, Jaipur
302005

[No. F.5(16)Industries/I/2019]
By Order of the Governor.
Neetu Barupal,
Dy. Secretary to the Government.

Government Central Press Jaipur.